

BOARD MEETING MINUTES  
Indiana Regulated Amusement Device  
Safety Board  
Indiana Government Center South  
Conference Room 12

September 11, 2008

1. The meeting of the Indiana Regulated Amusement Device Safety Board was called to order at 1:10 p.m. September 11, 2008, and the roll was called. A quorum was found to be present.

(a) The following Board members were present:

Ted Bumbleburg, Lafayette Parks Department  
David Dahl, Midwestern Engineers  
Lee Geiling, Leisure Sports Specialists  
Tom Spackman, Indiana Beach  
Debra Jackson, Elevator/Amusement Safety  
Max Fitzpatrick, Indiana Fair Association

The following Board members were not present:

Tim Bohlander, Poor Jack Amusements  
Terrance Hoffman, American Amusement Rides LLC  
Danny Huston, Mid America Shows  
Steve Jordan, Indiana Fair Association

(b) The following departmental staff and guests were present:

Mara Snyder, Counsel, Department of Homeland Security  
Robert McCutchan, Department of Homeland Security  
Mike Kamp, Holiday World

2. Minutes

A motion to approve the minutes of the March 6, 2008 as submitted was made by Tom Spackman and seconded by David Dahl. It was voted upon and carried.

3. Old Business

- (a) Mara Snyder had been asked to look into the status of the appointments to the Indiana Regulated Amusement Device Safety Board. She reported that the Governor's office is close to making a determination, and that the members of the current board should hear before the next board meeting on November 6, 2008.
- (b) Mara Snyder had spoken informally to Chairman Hannum of the Fire Prevention and Building Safety Commission to determine if the Amusement Board could write rules for Commission passage concerning expedited inspection fees. He was not opposed to it necessarily, but his concern was how well we craft the circumstances under which it happens. Mara and Debra Jackson will work on proposed language to present at the next meeting.
- (c) Mara Snyder had been asked to inquire how the Administrative Law Judge would handle an appeal of an emergency order and stay of effectiveness as the same filing since they are mutually exclusive. The policy of the agency has been to issue an emergency order for the big problems and do a subsequent standard administrative order for the remaining issues. It's the standard administrative order for which the petition for stay of effectiveness is requested.

#### 4. New Business

- (a) An update on Amusement Rule changes was to have been presented by Bob Robinson, Code Specialist for the Indiana Department of Homeland Security, but was presented by Mara Snyder because of a scheduling conflict. At the time of the presentation, the only rule Mr. Robinson had not completed was B-77.1 2006. A question had been raised about the deletion of F1305 since parts of it had gone into 770-06(a). Mr. Robinson found that Sections 4, 5 and 6 came out of 1305 and have been made into Section 8 of 770. Ms. Snyder didn't recommend keeping what remains of 1305, but asked for input from the Board. A question was raised if the listing of terminology was referenced elsewhere and was found to be in 747-06. It was decided that 1305 could be deleted, and will be presented as such in the draft rule.

##### F770-2006(a)

Section 2 references standards that the Board adopts independently. Rather than create confusion, a referenced document section will be put in the General Rules and Section 2 will be deleted.

Section 4.4 is new and is being brought to the Board's attention.

Section 6 is the same as the parallel Section in 853, and Ms. Snyder asked if it needs to

be in 770 or if the fact that it's in 853 is sufficient. Mr. Kamp stated information is being gathered in 770 to be found in one place for enforcement. Deleting text from 853 will be discussed when that Section is reviewed by the Code Committee.

Section 7 comes from 893 and is new in 770, and the text in 893 will be reviewed the same way as text in 853.

Section 9 is new and it comes out of 1950, but has not been adopted by Indiana before. After discussion of manufacturer information and updates going to previous owners of equipment instead of the current owners, it was decided that 9.1 should be deleted but that 9.2 should be adopted.

Section 10 used to be Section 6 and states "Key Words" and the Board was asked by Mara Snyder what purpose it served. One board member offered that, as it appears on the page, it didn't appear to have a purpose. She suggested that it be removed, and was told to take out "key words" from the remainder of the documents.

#### F853-2005

Sections 5, 6 and 7 will be deleted since they went to 770 .

#### F893-2005(a)

Section 5.3 is new, and a question was raised who would enforce it. After discussion of who the person would be, Mara Snyder asked permission to change the title to non-governmental inspector, and after a lengthy discussion of definitions of inspectors and agents, she stated she would bring proposed language to the next meeting.

Section 5.2 is the same as Section 7 in 770, and it was decided to take it out of 853 and anywhere else the language references 853.

Section 6.3 is new as well as 7.4.4. It was determined that all of Section 6 would be deleted. Sections 9, 10, 11, and 12 are also new in their entirety. Sections 9 through 15 all are with respect to manufacturers and may raise fiscal impact concerns. Do they wish to include these? Since this would provide protection for the operators, it was suggested that all the sections be retained.

#### F1193-2006

Delete Sections 2 and 17.

#### F 2137-2004.

Adopt with any changes required by the Attorney General's Office.

F2291-2006(a)

Delete Chapter 2, section 2, as well as 1.2.1.if included in the definition of "regulated amusement device".

Section 3 contains new definitions for "patron clearance envelope" and "patron reach envelope".

Some of Section 6.3.2 text is in the earlier edition but has been moved around.

Section 6.4.3.1 is new and it's unknown if it creates a fiscal impact.

What was 6.4.2 through 6.4.2.6 in the old standard has been deleted.

The first sentence of 6.4.3.6 is new, as is the first sentence of 6.4.3.7.

Section 6.4.4 through 6.6.1 is new text.

Old 6.6.3 through 6.6.3.3 was deleted.

Section 8.4.2 text was in 770 and in 853.

The parenthetical in 8.6 references 770 and also used to reference 853 and 893.

In 8.25, the text is the same, but instead of using numbers and parenthetical, they used 4- digit numbers.

In Section 11, they changed the name of the title.

Inc Section 13.6.1.2, in the second sentence there used to be a reference to programmable electronic control systems. This reference has been deleted.

In Section 14, the title used to apply to rides manufactured prior to Jan. 1, 2003, but now seems to apply to everything and has added to word "gates". This may have a fiscal impact. There is language existing in the General Rules which exempts rides built before the January 1, 2003 date which should apply. Language will be added to this standard to make it clear.

Section 14.4 is new text, and Section 14.5 is also new.

Appendix 11.4 on pg. 40 doesn't do anything from an enforcement prospective, but is new.

- (b) Next meeting is November 6, 2008.
  - (c) Debra Jackson, Director, Elevator Safety and Regulated Amusement Devices, congratulated the members of the Board for maintaining safety efforts and having no reportable accidents this year. The department is hiring more inspectors, five or six having started since January. The NARSO certification is being translated into code language which will permit inspectors to continue to perform should NARSO cease to exist. When the bill is ready, copies will be distributed to Board members for their information and support if warranted. It should appear as a Senate Bill.
5. A call for any more business was made. There being none, the meeting was adjourned at 2:18 pm.

**APPROVED**

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Tim Bohlander, Chairman